

UTILITIES

§ 18-32

posal system, embracing the following described lands in Leon County, Florida, to wit:

(Description of area by public road, street, or landmark)

Said Board of County Commissioners will hold a public hearing at _____ o'clock _____ m., on said application in the meeting room of the Board of County Commissioners of Leon County, Florida, on the _____ day of _____, 19____, and all persons affected or interested in such application are invited to be present at said time and place to voice their approval or disapproval of said application.

Dated this _____ day of _____, 19____.

Chairman, Board of County
Commissioners, Leon County,
Florida

(Code 1980, § 22-4)

Sec. 18-30. Construction plans.

(a) All construction must be in accordance with the approved application. No substantial deviation shall be authorized unless approved in advance in writing by the county.

(b) Prior to the commencement of construction, the owner shall obtain and deliver to the county a performance bond in an amount to be determined by the county and with a surety approved by the county or other acceptable security which shall guarantee the completion of all construction and the payment for all labor and materials used in such construction. The county may waive the requirement for a performance bond upon the receipt of other adequate assurance of the owner's ability to perform its obligations under the authorization.

(c) Within 90 days following completion of any construction authorized by the county, the owner shall submit as-built plans certified by the owner that the system as installed is in substantial compliance with the approved application and meets or exceeds the minimum construction standards set forth in section 18-35.

(d) When all of the requirements hereof are met, the county shall issue a written authorization to place the system in service. No system shall be placed in service until such authorization is obtained.

(Code 1980, § 22-5)

Sec. 18-31. Operation of system, generally.

(a) *Office.* Each water or sewage disposal system owner shall maintain an office in the county, in which shall be kept the following:

- (1) A current record of customer accounts.
- (2) A record of all interruptions of service affecting ten percent or more of its system users, including the date, time, duration and cause of the interruption and the steps taken to prevent its recurrence.
- (3) A record of each complaint received showing the name and address of the complainant, the telephone number, nature of the complaint, date received, the disposition of the complaint and the date thereof.
- (4) A telephone through which the system owner is able to respond to emergency situations on a 24-hour-a-day basis.

(b) *Bookkeeping.* Each system owner shall maintain its records in accordance with generally accepted accounting principles.

(c) *Statement of revenues.* Within 90 days following the end of the system's fiscal year, the owner shall file a sworn statement of gross service revenues for the system on a form provided by the county.

(Code 1980, § 22-6)

Sec. 18-32. Annual fees.

(a) At the time of filing the sworn statement referred to in section 18-31, the system owner shall pay to the county an annual fee based upon \$2.00 per \$100.00 of service revenues.

(b) An additional charge of five percent per month or any fraction thereof of the annual fee not to exceed a total of 25 percent shall be paid by a system owner for failure to submit the annual

requirements hereof. Upon reasonable cause shown, the county may extend the time for filing.

(c) In the event a system owner fails to comply with the annual requirements and such failure continues for 30 days following written notice from the county of such delinquency, the county may conduct an audit of the books and records of the system owner to determine the fee due. Thereafter, the system owner shall pay to the county the amount determined due plus late charges, together with the costs of the audit and reasonable attorney's fees for collection.
(Code 1980, § 22-7)

Sec. 18-33. Default.

(a) The following shall constitute default by the owner of an authorized system:

- (1) The failure to pay the annual fee pursuant to section 18-32.
- (2) The failure to meet or exceed the minimum construction or operation standards set forth in sections 18-35 and 18-36.
- (3) The violation of the lawful order of the county or other applicable regulatory agency pertaining to the operation and maintenance of such system.
- (4) The failure to meet construction schedules submitted as part of the application procedure.
- (5) Refusal to provide service required by the authorization granted.
- (6) Such other action or inaction as will substantially affect the general health, safety and welfare of the citizens residing in or whose property is located within the authorized area.

(b) In the event of such default, the county shall give written notice of such default to the owner of the system. Unless such default is cured within 30 days of receipt of such written notice of default, or if such cure cannot be reasonably accomplished within 30 days and is not being actively and expeditiously pursued, then such authorization may be revoked. Upon such revocation, such system

shall become the property of the county in accordance with section 22-28(b)(4).
(Code 1980, § 22-8)

Sec. 18-34. Authorization for existing systems.

(a) Any water system or sewage disposal system existing and operating on the date of the adoption hereof, or any system for which an application and final construction drawings have been submitted to the state department of environmental regulation prior to noon May 6, 1980, and for which a permit is issued by the state department of environmental regulation within 120 days of this date, shall, upon application and submission of the information required by the county, be authorized to operate in the specific geographical area in which the system is operating or for which such application was originally filed.

(b) Such application for authorization must be submitted to the county within 60 days from the adoption hereof or such system shall not be authorized to continue to operate. Continued operation without authorization shall be deemed a violation of section 18-40.

(c) Such application must be accompanied by plans, specifications, and drawings depicting the system together with such other information as may be required by the county.

(d) No fee shall be required to accompany the application for systems sought to be authorized pursuant to the terms of this section.

(e) No system authorized hereunder shall be appropriated by the county under the provisions of section 18-34 unless full compensation therefor be paid to the owner thereof.
(Code 1980, § 22-9)

Sec. 18-35. Minimum standards—Construction.

(a) *Water systems.* Water systems shall be of a design which will ensure an adequate, safe supply of water at all times. All design and construction shall be under the supervision of a registered professional engineer. All design and construction shall be in accordance with the policies, standards and specifications for water systems in the county